

DEPARTMENT OF REVENUE

Division of Motor Vehicles – Title and Registration Sections

1 CCR 204-10

RULE 4. GROSS VEHICLE WEIGHT REGISTRATIONS

Basis: The statutory bases for this ~~regulation rule~~ are sections 42-1-102(17), 42-1-102(23.5), 42-1-102(109), 42-1-201, 42-1-204, and 42-3-306(5) C.R.S.

Purpose: The purpose of this ~~regulation rule~~ is to establish the information to be maintained for vehicles subject to gross vehicle weight ~~registration fees~~ and to clarify the standards for calculating registration fees.

1.0 Definitions

~~1.1 “Declared Gross Vehicle Weight” means the combined weight of the vehicle or combination vehicle and its cargo when operated on the public highways of this state. Such weight shall be declared by the vehicle owner at the time the vehicle is registered.~~

~~1.2 “Department” means the Title and Registration Sections, Division of Motor Vehicles, Department of Revenue.~~

1.1 “GVW Vehicle” means a truck or truck tractor subject to annual registration fees based on declared gross vehicle weight pursuant to section 42-3-306(5)(b), C.R.S.

~~1.32~~ “Mileage History” means those miles traveled by a GVW vehicle during the ~~R~~Registration Period ~~m~~Mileage ~~c~~Cycle.

1.43 “Registration Period Mileage Cycle” means the ~~previous~~ twelve-month period immediately preceding the expiration date of a GVW vehicle registration ~~period~~.

~~1.5 “Truck Tractor – Laden” means any motor vehicle carrying cargo that is generally and commonly designed and used to draw, and is drawing, a semi-trailer or trailer and its cargo load over the public highways.~~

2.0 Registration Fee Calculation

~~2.1 Calculation of registration fees for vehicles described within these rules will shall be based on the following criteria; declared gross vehicle weight, mileage history, or mileage reporting period, and whether the vehicle operation is for private use or as a common contract.~~

~~2.2 To qualify as a private carrier, more than 50% of the total miles traveled by a specific vehicle within the registration mileage cycle are for private use.~~

2.1 GVW Vehicle Used in the Operations of a Common or Contract Carrier for Hire. For purposes of this rule, a GVW Vehicle is deemed to be used in the operations of a common or contract carrier for hire if the vehicle transported any cargo not owned by the carrier for fifty percent or more of the total miles traveled by that vehicle within the Registration Period Mileage Cycle pursuant to 42-3-206(5)(b)(II), C.R.S.

- a. Whether a GVW Vehicle is used in the operations of a common or contract carrier for hire may be established by submitting documentation at the time of registration proving ownership of all cargo carried for the miles traveled by that vehicle within the previous Registration Period Mileage Cycle. Documentation may be bills of sale, manufacturing documentation, or other documents deemed acceptable by the Department.
- b. A GVW Vehicle registered for the first time that does not have documentation proving carrier type or mileage history will be registered as a common or contract carrier for hire travelling ten thousand miles or more. Upon registration renewal, if it is demonstrated that the GVW Vehicle is not a common or contract carrier and/or travelled less than ten thousand miles during the Registration Period Mileage Cycle, the registrant may request that the Department credit the difference between the registration fees paid and the renewal registration fees towards the renewal registration fees. If not renewing registration, a refund of the excess registration fee may be requested by submitting a request for refund to the Department on form DR 2444 Statement of Fact with supporting documentation.

~~2.3 Private Carrier~~

- ~~A. Documentation is required to substantiate the ownership of that the cargo for each mileage record was owned by the carrier, such as bills of sale and manufacturing documentation, etc~~
- ~~B. Documentation is required to substantiate the mileage history.~~
- ~~C. The GVW vehicle owner shall maintain accurate records of all miles traveled by each vehicle over the public highways of this state.~~

- 2.2 Replacing a GVW Vehicle. A GVW Vehicle owner who is replacing an existing GVW Vehicle may use the Mileage History of the GVW Vehicle being replaced as qualification for the registration fees assessed on the new GVW Vehicle. For the Mileage History to qualify, the existing GVW Vehicle must have been registered and in operation for a full Registration Period Mileage Cycle.

3.0 Recordkeeping Requirements

- 3.1 Documentation of Mileage ~~History both interstate and intrastate vehicles, from all the following information except where otherwise noted.~~ Documentation for both interstate and intrastate travel must be maintained and must contain the following information:

- ~~Aa.~~ Beginning and ending date of each trip;:-
- ~~Bb.~~ Trip origin and destination;:-
- ~~Cc.~~ Route of travel;:-
- ~~Dd.~~ Beginning and ending odometer or hub odometer reading of the trip;:-
- ~~Ee.~~ Total mileage;:-
- ~~Ff.~~ Mileage by jurisdiction;:-
- ~~Gg.~~ Vehicle Identification Number;:-
- ~~Hh.~~ GVW Vehicle owner's ~~Registrant's~~ name;:-
- ~~ii.~~ Driver's printed name and signature; and:-

~~Jj. A copy of the vehicle registration receipt indicating taxes paid for the requested **licensing year** Registration Period Mileage Cycle.~~

~~3.2—The vehicle owner shall maintain, for three years plus the current year, accurate records of all miles traveled by each vehicle over the public highways of this state.~~

~~3.3—Computer summaries are not acceptable unless supported by the Mileage History Records.~~

~~3.4—Those vehicles which have no previous continuous twelve months of mileage history shall be assessed the registration fees required for a vehicle traveling in excess of ten thousand miles per year. Such vehicles may, however, be the subject of a refund. Upon completion of the twelve months mileage history if it is determined the vehicle traveled ten thousand miles or less during the prior registration year, a refund credit of the difference between the registration fees paid for miles traveled over ten thousand and the registration fees for vehicles operated ten thousand miles or less may be requested.~~

~~3.5—Any owner who is replacing an existing vehicle may use the mileage history of the vehicle being replaced as qualification for the fees assessed on the new vehicle. For the mileage history to qualify, the existing vehicle must have been registered and in operation for the previous twelve months. The license plates from the existing vehicle must be transferred to the replacement vehicle.~~

~~3.6—When a person purchases an established business which includes vehicles, the mileage history of those vehicles may be used as qualification for the fees assessed. For the mileage history to qualify, the business operations must remain the same, the vehicles must have been registered in Colorado and in operation for the previous twelve months. Copies of the previous owner's registrations must be presented at the time of registration by the new owner in order to substantiate mileage information.~~

~~3.7—Any owner requesting a refund of registration fees paid for a specific vehicle or vehicles shall by submitting the records as required by the Department pursuant to this regulation.~~

~~3.8—The Department, upon verification of the refund request, may refund the difference to the owner. The Department may request additional information, validate information submitted or deny the request for refund for non-compliance to statute, non-compliance to regulations, failure to meet the requirements under this regulation, failure to provide sufficient documentation supporting the vehicle owner's claim for refund or other reasons as determined by the Department.~~